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Paper No. 18

John P. Sumner
MERCHANT GOULD SMITH EDELL
WELTER & SCHMIDT
3100 Norwest Center 90 SO
7th Street
Minneapolis MN 55402

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In re Application of
Joel A. Ronning
Application No. 08/488,195
Filed: June 7, 1995
FWC No. 08/892,306
Attorney Docket No.
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This is a supplemental notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. No. 97-1128, -1280, -1453, 1998 U.S. App. LEXIS 21409, at *30 (Fed. Cir. Sept. 1, 1998). Therefore, your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

In view thereof, the petition to revive submitted August 20, 1998 is unnecessary. Therefore, the petition fee of \$1320 is being credited to Deposit Account No. 13-2725 as authorized.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Publishing Division to be processed into a patent.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects